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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,443	02/15/2002	Timothy C. Loose	47079-0115	3128

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EXAMINER

CHERUBIN, YVESTE GILBERTE

ART UNIT PAPER NUMBER

3713

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/077,443	LOOSE ET AL. <i>CL</i>	
	Examiner	Art Unit	
	Yveste G. Cherubin	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-9 and 51-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 51-54 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/04, 3/04, 1/03, 2/02</u> | 6) <input type="checkbox"/> Other: _____ |

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1. This action is in response to the communication of the Application No. 10/077,443 filed April 29, 2004.

Election/Restrictions

2. Applicant's election with traverse of Group I in the reply filed on April 29, 2004 is acknowledged. The arguments were found persuasive. Therefore, as requested, Group I, namely claims 1-9, 51-54 are being examined. See rejection below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al. (US Patent No. 5,934,672) in view of Belfer (US Patent No. 5,873,645).

Regarding claims 1, 3 Sines discloses a plurality of optical fibers (52) having first ends (53) optically coupled to said surface of said image display device and seconds ends (54) for displaying said mechanical reels to a player of said slot machine, said second ends (54) defining a display surface as shown in Fig 8, 8:1-4, 23-45. Sines further discloses an image display device having a surface

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for producing images of mechanical reels but fails to disclose producing images of simulated mechanical reels. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a video display device to transmit the symbols in order to reduce the image source. Although Sines fails to disclose defining a curved display surface having a radius of curvature that approximates the radius of curvature of a mechanical reel, Sines discloses, at 8:26-37, that alternative reel or display configuration are possible. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the curved display surface of the mechanical reel. Such feature would allow the display of the radial wheel in order to provide the appearance of the mechanical reel. In addition, Belfer is being cited to teach a fiber optic reflector wherein the reflective finish is bendable, or curvable so that the pattern of light may be varied, 2:41-46. This section is being read as defining a curved display surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the curvable feature as taught by Belfer into the Sines type system in order to enhance the display presentation.

Regarding claim 2, Sines discloses further including a flat transmissive window in front of said curved display surface, as shown in Fig 8.

Regarding claims 3-4, 52-54 Belfer teaches second ends defining various pattern of light, 2:41-46. Accordingly, having some of the second ends defining a flat display surface or a curved display or a flat display adjacent to a curved

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display surface would have been a matter of design choice. Such feature would enhance display presentation and would attract players.

Regarding claim 5, Sines discloses using symbols/indicia such as "7" as shown in Fig 3-5. Accordingly, displaying alphanumeric information is taught by Sines.

Regarding claim 6, Sines discloses the claimed invention with the exception of the radius of curvature being in the range from about 4 to about 7 inches. On Page 6, lines 27-29 of the specification recites that the radius of a typical mechanical reel generally is in the range from about 4 to 7 inches. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such feature in order to provide an exact appearance of a mechanical reel.

Regarding claim 7, Sines discloses his system being capable of using a plurality of displays, 3:8-14.

Regarding claims 8, 51, they recite the limitations of claim 1. In addition, they recite a processor for randomly selecting an outcome in response to receiving a wager, determining a symbol grouping outcome corresponding to said random outcome, which are well known features in the slot machine environment. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such features in order to allow a player to bet on a gaming session.

Regarding claim 9, Sines discloses displaying transmitting images of symbols through optical fibers from an image source, 8:41-46. Displaying symbols grouping through said optical fibers from an image source would have been

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obvious. Such feature would allow the players to view the outcome of a gaming session.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. Wellington can be reached on (703) 308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ygc



JOHN M. POTALING, II
PRIMARY EXAMINER